

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WALTER G. PIETSCH,

Plaintiff,

-against-

MEMORANDUM & ORDER
13-CV-4696 (JS) (WDW)

POLICE OFFICER VITO MARCANTONIO,
SHIELD # 299; HOFSTRA UNIVERSITY;
COMMISSION ON PRESIDENTIAL DEBATES;
DEMOCRATIC NATIONAL COMMITTEE;
REPUBLICAN NATIONAL COMMITTEE; and
STUART RABINOWITZ,

Defendants.

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APPEARANCES

For Plaintiff: Walter G. Pietsch, pro se
P.O. Box 10057
Westbury, NY 11590

For Defendants: No appearances.

SEYBERT, District Judge:

On May 5, 2014, the Court received a process receipt and return from the United States Marshals Service ("USMS") indicating that the USMS was unable to serve Defendant Police Officer Vito Marcantonio ("Marcantonio") at the address previously provided by the Court. (Docket Entry 22.) Based upon pro se Plaintiff's filings herein, it is unclear whether Marcantonio is a police officer or a public safety official employed by Hofstra University ("Hofstra"). The Court therefore reauthorizes service of the Summons and Complaint at Hofstra, to the extent that Marcantonio is employed in any capacity by Hofstra.

The Clerk of the Court is DIRECTED to issue a Summons against Marcantonio and forward it to the USMS together with the Complaint, the Court's November 18, 2013 Order (Docket Entry 8), and this Order for service upon Marcantonio. The Summons shall be addressed to Vito Marcantonio and it shall not include the title of Police Officer. In addition, the Clerk of the Court shall provide the USMS with the following description of Marcantonio provided by Plaintiff: "White Male; six feet tall (+); Wearing Shield # 299 at about 5PM on October 16, 2012; age: appeared to be early 30's, completely bald."

The USMS shall attempt service at the following addresses provided by Plaintiff: (1) Hofstra University, 144 Hofstra University, Hempstead, NY 11549; (2) Hofstra University's Department of Public Safety and Information Center, Hempstead Turnpike and California Avenue, Hempstead, NY 11550; and (3) Hofstra University, 1000 Fulton Avenue, Hempstead, NY 11550.

Plaintiff's request to subpoena Hofstra's President and its Director of Public Safety to identify Marcantonio is DENIED because the request is premature at this time.

The Clerk of the Court is directed to mail a copy of
this Order to pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: May 15, 2014
Central Islip, New York